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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 10541-6

First Inventor Phillip E. MORRIS

Title EXERCISE MACHINE WITH VARIABLE RESISTANCE UNIT AND BRAKING UNIT

Express Mail Label No.

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 26]  
(preferred arrangement set forth below)  
- Descriptive title of the Invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 15]
5. ☒ Oath or Declaration [Total Pages 2]  
a. ☒ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. \_\_\_\_\_ /

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied  
under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

(Insert Customer Number or Bar Code label here)

or ☐ Correspondence address below

Name

23838

PATENT TRADEMARK OFFICE

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

William K. Wells, Jr., Esq.

Registration No. (Attorney/Agent)

27,042

Signature

William K. Wells

Date

January 14, 2002

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Patents, Box Patent Application, Washington, DC 20231.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 589

Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | To Be Assigned    |
| Filing Date          | January 14, 2002  |
| First Named Inventor | Phillip E. MORRIS |
| Examiner Name        | To Be Assigned    |
| Group / Art Unit     | To Be Assigned    |
| Attorney Docket No.  | 10541/6           |

**METHOD OF PAYMENT (check one)**1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

11-0600

Deposit  
Account  
Name

Kenyon &amp; Kenyon

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐

Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

**FEE CALCULATION**1. **BASIC FILING FEE**

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description        | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101                  | 740                   | 201                  | 370                   | Utility filing fee     | 370      |
| 106                  | 330                   | 206                  | 165                   | Design filing fee      |          |
| 107                  | 510                   | 207                  | 255                   | Plant filing fee       |          |
| 108                  | 740                   | 208                  | 370                   | Reissue filing fee     |          |
| 114                  | 160                   | 214                  | 80                    | Provisional filing fee |          |

**SUBTOTAL (1)**

(\$ 370)

2. **EXTRA CLAIM FEES**

| Total Claims          | Extra<br>Claims | Fee from<br>below | Fee<br>Paid |
|-----------------------|-----------------|-------------------|-------------|
| 35                    | -20 **          | 15                | 135         |
| Independent<br>Claims | 5               | -3 **             | 2           |
| Multiple<br>Dependent |                 |                   | 0           |

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  |
|----------------------|-----------------------|----------------------|-----------------------|--|
| 103                  | 18                    | 203                  | 9                     | Claims in excess of 20                                     |
| 102                  | 84                    | 202                  | 42                    | Independent claims in excess of 3                          |
| 104                  | 280                   | 204                  | 140                   | Multiple dependent claim, if not paid                      |
| 109                  | 84                    | 209                  | 42                    | ** Reissue independent claims over original patent         |
| 110                  | 18                    | 210                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)**

(\$ 219)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**3. **ADDITIONAL FEES**

| Fee<br>Code | Large<br>Entity<br>Fee<br>(\$) | Fee<br>Code | Small<br>Entity<br>Fee<br>(\$) | Fee Description  | Fee<br>Paid |
|-------------|--------------------------------|-------------|--------------------------------|--|-------------|
| 105         | 130                            | 205         | 65                             | Surcharge - late filing fee or oath  |             |
| 127         | 50                             | 227         | 25                             | Surcharge - late provisional filing fee or cover sheet.                    |             |
| 139         | 130                            | 139         | 130                            | Non-English specification  |             |
| 147         | 2,520                          | 147         | 2,520                          | For filing a request for reexamination                                     |             |
| 112         | 920*                           | 112         | 920*                           | Requesting publication of SIR prior to Examiner action                     |             |
| 113         | 1,840*                         | 113         | 1,840*                         | Requesting publication of SIR after Examiner action                        |             |
| 115         | 110                            | 215         | 55                             | Extension for reply within first month                                     |             |
| 116         | 400                            | 216         | 200                            | Extension for reply within second month                                    |             |
| 117         | 920                            | 217         | 460                            | Extension for reply within third month                                     |             |
| 118         | 1,440                          | 218         | 720                            | Extension for reply within fourth month                                    |             |
| 128         | 1,960                          | 228         | 980                            | Extension for reply within fifth month                                     |             |
| 119         | 320                            | 219         | 160                            | Notice of Appeal   |             |
| 120         | 320                            | 220         | 160                            | Filing a brief in support of an appeal                                     |             |
| 121         | 280                            | 221         | 140                            | Request for oral hearing   |             |
| 138         | 1,510                          | 138         | 1,510                          | Petition to institute a public use proceeding                              |             |
| 140         | 110                            | 240         | 55                             | Petition to revive - unavoidable   |             |
| 141         | 1,280                          | 241         | 640                            | Petition to revive - unintentional   |             |
| 142         | 1,280                          | 242         | 640                            | Utility issue fee (or reissue)   |             |
| 143         | 460                            | 243         | 230                            | Design issue fee   |             |
| 144         | 620                            | 244         | 310                            | Plant issue fee  |             |
| 122         | 130                            | 122         | 130                            | Petitions to the Commissioner  |             |
| 123         | 50                             | 123         | 50                             | Processing fee under 37 CFR 1.17 (q)                                       |             |
| 126         | 180                            | 126         | 180                            | Submission of Information Disclosure Stmt                                  |             |
| 581         | 40                             | 581         | 40                             | Recording each patent assignment per property (times number of properties) |             |
| 146         | 740                            | 246         | 370                            | Filing a submission after final rejection (37 CFR § 1.129(a))              |             |
| 149         | 740                            | 249         | 370                            | For each additional invention to be examined (37 CFR § 1.129(b))           |             |
| 179         | 740                            | 279         | 370                            | Request for Continued Examination (RCE)                                    |             |
| 169         | 900                            | 169         | 900                            | Request for expedited examination of a design application                  |             |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 0)

**SUBMITTED BY**

Complete (if applicable)

|                   |                                |                                  |        |           |                  |
|-------------------|--------------------------------|----------------------------------|--------|-----------|------------------|
| Name (Print/Type) | William K. Wells, Jr.,<br>Esq. | Registration No. Attorney/Agent) | 27,042 | Telephone | 202-220-4200     |
| Signature         | William K. Wells               |                                  |        | Date      | January 14, 2002 |

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